

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ROOSEVELT M. WILLIAMS,

Plaintiff,

v.

JUDY SMITH, *et al.*,

Defendants.

ORDER

Case No. 14-cv-789-jdp

Plaintiff Roosevelt M. Williams, a prisoner in the custody of the Wisconsin Department of Corrections, has filed a proposed civil complaint under 42 U.S.C. § 1983. Plaintiff requests leave to proceed without prepayment of the filing fee. To the extent plaintiff wishes to proceed without prepaying the filing fee, because he is incarcerated, he must comply with the Prisoner Litigation Reform Act (PLRA), which requires plaintiff to submit a certified copy of his inmate account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint. 28 U.S.C. § 1915(a)(2). Although, plaintiff submitted an inmate trust account statement from 12/31/2013 to 6/30/2014 (dkt. #4), the inmate account statement does not cover the six-month period immediately preceding the filing of the complaint.

For this case to proceed, plaintiff must submit a certified account statement no later than December 30, 2014. If plaintiff is found to be indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments. If plaintiff does not submit a certified six-month inmate account statement, I will assume that he wishes to withdraw this action voluntarily.

ORDER

IT IS ORDERED that plaintiff Roosevelt M. Williams may have until December 30, 2014 to submit a certified trust fund account statement for the period beginning approximately May 14, 2014 and ending approximately November 14, 2014. If, by December 30, 2014, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 9th day of December, 2014.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge